

## Crimean politicians join game of the season

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Political games in the Crimea have developed into a peculiar cross of boxing and marathon. In December 1999, head of the Council of Ministers of the Crimea, member of the People's Democratic Party Serhiy Kunitsin solemnly announced: I firmly believe that one can count on stability only where there is a normal pro-government majority in the parliament (Den, December 4, 1999).

Yet, in May 2000 the Crimean parliamentary majority has caused serious trouble to Mr. Kunitsin. The outcome had been prepared for half a year by a variety of Ukraine's political forces that desired to implement their political and partisan ambitions in the Crimea - and, naturally, promote their long-standing economic interests. The efforts resulted in a crisis that culminated on May 24, 2000 when the Crimean parliament voted to dismiss the government.

The epicenter of this crisis, like in previous politically hot periods, was conveniently based in the session hall of the Crimean Supreme Council. At the evening session on May 24, 68 members of the peninsula's 100-strong parliament voted in favor of resignation of Serhiy Kunitsin and his government. Only 20 out of the present 94 members of the Crimean parliament opposed the vote of no-confidence in the Crimean Council of Ministers. One of the most consistent proponents of the voting was former Prime Minister of the Crimea Anatoly Franchuk.

In fact, President Leonid Kuchma had repeatedly warned against such an outcome, which, after all, was quite predictable, given the tension between the two branches of power in the peninsula. Paradoxically, one of the members of the Crimean parliament who did not support the general decision was Crimean speaker and leader of Crimean Communists Leonid Grach, who described the event as the black day for the Crimea. Here, one should not that the day was, in a sense, black for Mr. Grach himself.

Nowadays, at the start of the tourist season and after he personally assured Kuchma of his total loyalty to the head of the Crimean government, the forced resignation of the government would be against the Crimean speaker's interests. Moreover, a number of observers tend to interpret the no-confidence vote against the government as a direct challenge to President Kuchma. And although some commentators argue that the stage director for the event was Leonid Grach himself, it looks more likely that actors of the current Crimean drama started performing their roles following commands of several stage directors at a time. Finally, it was the Crimean speaker who was formally authorized to request President Kuchma's permission for dismissing Serhiy Kunitsin from his position.

Meanwhile, comments on the situation, made by various Ukrainian high-ranking decision-makers, suggest that the May 24 crisis was but an introduction to the further Crimean political earthquakes. The Cabinet of Ministers of Ukraine formally expressed anxiety over the situation in the Crimea. The Crimean parliament's decision to dismiss the Council of Ministers of the autonomy was aimed at destabilization of the situation in the region, according to First Vice Prime Minister of Ukraine Yuri Yekhanurov (ITAR-TASS, May 25, 2000). In his view, today, as the autonomy demonstrates processes of economic growth and a number of positive trends, the emergent tension is inappropriate (ibid.)

According to Yuri Yekhanurov, the step made by the Supreme Council of the Crimea has been perceived negatively by the Cabinet of Ministers of Ukraine.

The Presidential Administration commented on the situation similarly negatively. For instance, Permanent Representative of the President of Ukraine in the Crimea Anatoly Korniyshuk announced, referring to comments made by presidential chief of staff Volodymyr Lytvyn, that the official Kyiv's reaction might be rather stern, up to the dissolution of the autonomy's parliament (Molod Ukrainy, May 26, 2000). However, the last radical step is unlikely to occur. To date there have been enough talk about early parliamentary elections, and speculations on possibility of early elections to the Crimean parliament may further undermine the much needed political and economic stability, particularly at the start of the tourist season, the main source of revenue of the Crimean economy.

Apart from the issues of political stability and economic feasibility, there are a number of other issues that fall within the sphere of law and observance of the Ukrainian Constitution. According to presidential chief of staff Volodymyr Lytvyn, there have been no legal reasons for the Crimean parliament to approve the decision on no-confidence to the Crimean government. He also added that the Administration of the President of Ukraine was studying the procedure of adoption of the decision, as there had been complaints that the Crimean parliament had not followed the order of dealing with such issues and had not acted within the parliament's procedural rules (DINAU, May 25, 2000).

In addition, there is a legal collision linked to inconsistency of the Ukrainian legislation. According to Volodymyr Lytvyn, Article 136 of the Constitution of Ukraine stipulates that the head of the Crimean Council of Ministers is appointed and dismissed by the Supreme Council of the Crimea with the agreement of the President of Ukraine. The Constitution specifies no additional obligations or limitations for the head of the state on this issue. Yet, according to the law on the Supreme Council of the Crimea (Article 8, part 2, paragraph 30), if the autonomy's parliament approves the vote of no-confidence to the head of the Council of Ministers of the Crimea or other members of the Crimean Cabinet by the simple majority of members of the Crimean parliament, the head of the Council of Ministers is to be dismissed from his position in the order specified by the Constitution of Ukraine. Meanwhile, the law stipulates that in case the no-confidence vote is approved by at least two-thirds of the members of the autonomy's parliament, the President of Ukraine is supposed to give permission for dismissing the government. Hence, the law limits the powers of the President, outlined by the Constitution. Therefore, the head of the presidential administration concludes that the President has every good reason to abolish the resolution of the Supreme Council of the Crimea and submit a relevant appeal to the Constitutional Court. This means that the Constitutional Court may soon have to decide whether or not the Crimean parliament's decision to dismiss the Crimean government was constitutional. Before the case may go to the Constitutional Court, other legal and procedural ways to settle the matter may be tried. For instance, according to Lytvyn, efforts may be taken for thorough study of that Crimean parliament's session. If any deviations from the procedure are found, the Crimean parliament may be advised to call off its decision (DINAU, May 25, 2000).

Hence, the official Kyiv did not welcome the Crimean parliament's decision to dismiss Serhiy Kunitsin and his government, and has shown no inclination to change its position. Similar attitude of the top executive authorities of this state was demonstrated during previous critical situations in the relations between the Crimean parliament and the government.

It would be wrong to omit yet another facet of the Crimean government's dilemma: its connection with the Crimean Tatar issue. The current father superior of the Crimean political establishment offers a rather specific interpretation of the government's resignation in this context and blames Refat Chubarov, MP, and the Crimean Tatars, who held a rally last Wednesday to demand that the Supreme Council of the Crimea started negotiations with the Crimean Tatar Medjlis. According to Grach, the pro-Tatar position of Kunitsin and Refat Chubarov's radical statements provoked the left-wing majority of the Crimean parliament for action. The comments continue the witch-hunt for national radicals, as Leonid Grach keeps referring to the Council of Representatives of the Crimean Tatar people under the President of Ukraine and the Medjlis.

It looks like whatever the crisis, the Crimean political leadership seeks to exit the game with the least possible damage and even gain some political dividends. Didn't the Crimean Tatar dilemma exist before? Wasn't it equally acute? So, the Crimean Tatar factor is being used again for turning attention away from key players and real causes of the problem. (For more information on the issue, see UCIPR Research Update, No. 159 at <http://www.ucipr.kiev.ua>)

Generally, the current dismissal of the Crimean government led by Serhiy Kunitsin has its own complicated background and resembles a card game in which, from time to time, some of the gamblers get trump cards. A chance that the Crimean government would be dismissed was first discussed at the end of 1999. The warning signal sounded on November 7, 1999, when Leonid Grach, addressing a rally of his supporters, publicly accused Kunitsin and the President's representative Anatoly Korniyshuk of preparing a criminal revolution. Today Mr. Grach is unwilling to remember his point: let finish with [talking about] this criminal revolution, he says (Den, May 26, 2000). Yet, at the end of 1999 the slogan of fighting the criminal revolution was very handy for political purposes and skillfully used. That stage of campaign culminated in Leonid Grach's publicly declared intention to appeal to the President of Ukraine with a request to change the Crimean prime minister and the latter's threat to sue the speaker of the Crimean parliament. In December 1999 President Kuchma spoke strongly negatively against any steps that could destabilize the situation in the Crimea. The President publicly announced that both Leonid Grach and Serhiy Kunitsin were responsible for social-economic and political stability in the Crimea (Ukraina Moloda, December 7, 2000). The confrontation between the Crimean speaker and the prime minister escalated in January 2000, when the autonomy's parliament was paralyzed by contradictions between supporters of Grach and supporters of the Council of Ministers. Gradually, the pro-government majority was formed in the Crimean parliament, but only to collapse at the escalation of the next wave of crisis that occurred in the form of a war of compromising files. The media reported that Crimean police officers had arrested Ruvim (Roman) Aronov, member of the Crimean parliament, leader of the Respublika faction and president of the Simferopol-based football club, Tavria, on charges of racketeering (Ukraina Moloda, January 6, 2000). Then the autonomy's law-enforcement authorities radically changed the distribution of political forces: after the arrest of Aronov the pro-Kunitsin

majority in the Crimean parliament was on the verge of collapse (Kievskie Vedomosti, January 10, 2000). In fact, it did collapse a few weeks later. After the arrest of Aronov the Crimean Communists publicly accused Kunitsin's supporters of partnership with representatives of criminal structures, notwithstanding the fact that members of the Respublika faction had made a radical contribution to the election of the red presidium and Grach as speaker eighteen months before. Later on, observers tended to highlight names of other creators of the chain of Crimean crises. For instance, during the January round of confrontation between the two branches of power in the Crimea, Serhiy Kunitsin publicly complained about efforts to dismiss him and give his position to Anatoly Franchuk who had occupied the top Crimean government's office a few times before. Then the conflict was put down by the interference of the top-level executive officials, but in May 2000 the events have followed the old scenario and involved the same actors. The tension increased, as the Crimean law-enforcement authorities arrested Minister of Finance of the Crimean government Liudmila Denisova. The action was viewed as a warning of repression against the Kunitsin government. On May 15, 2000, the Crimean government retaliated by sending a unanimously signed petition to President Kuchma and Attorney General of Ukraine Mykhailo Potebenko, urging them to intervene in actions of the Crimean office of public prosecution in order to radically improve the situation, bring its working practices in accordance with requirements of the laws of Ukraine and provide for unbiased investigation on the issue of the so-called republican loan. The Council of Ministers of the Crimea appealed to the President and the Attorney General to inform them that relations between the government and officials of the republic's office of public prosecution have deteriorated radically lately. Overt threats and pressure on leaders of ministries and district state administrations, massive initiation of criminal cases against them as methods of such pressure have become a common practice. According to the Council of Ministers of the Crimea, the autonomy's office of public prosecution deliberately ignores repeated appeals of the government on issues of legitimacy of a number of decisions of the Supreme Council and the previous Crimean government on implementing the Republic's loan. Meanwhile, Liudmila Denisova, who later faced criminal charges, made by the Office of Public Prosecution of the Crimea, described the above financial combination as trickery. According to the text of the appeal, it served the following purpose: with the use the name of the Crimean government, within three years [they] have withdrawn UAH 494 million or about US\$ 250 million from Ukraine's economy in favor of two off-shore companies, while the budget received only a little more than UAH 20 million (Den, May 16, 2000). Reportedly, at that time Mrs. Denisova refused to sign documents that would make the trickers clean. According to the government's statement, the situation deteriorated to the extreme when Ukraine's law-enforcement bodies began investigating activities of the Slovyansky bank, and the organizers of the loan that had caused huge damage to the state needed urgently to hide the ends under the water (ibid.). A few days later Mrs. Denisova was released from her pre-trial detention cell. On May 18, 2000, Attorney General of Ukraine Mykhailo Potebenko announced that his office approved a resolution to close down the criminal case against Crimean Minister of Finance Liudmila Denisova (Ukraina Moloda, May 20, 2000). Little by little, the crisis seemed to be resolved, although the issue of the scandalous loan remained open. During President Kuchma's meeting with leaders of the Crimean authorities in Foros earlier in May (Zerkalo Nedeli, May 27, 2000) there were a number of statements assuring parity and mutual non-aggression between the Crimean speaker and head of the government. But the conflict did escalate, and in this context the escalation can be viewed as a direct challenge to the President by Leonid Grach who, probably, misinterpreted some signals he had received from the center. Now it is hard to say how well this multi-step combination was planned. According to Serhiy Kunitsin, the dismissal of the government, supported by the majority of Crimean MPs, was caused by the fact that we stepped on serious financial-economic interests: those are the issues linked to the loan bonds, to the Slovyansky bank, that is re-organization of the fuel and energy complex, that is the creation of a transparent payment system and departure from writing-off mutual debts by bills... (Den, May 26, 2000). Most likely, the President's structures are also well aware of all this. Commenting on the situation, Permanent Representative of the President of Ukraine in the Crimea Anatoly Korniychuk argued that political and financial interests clashed on Kunitsin (Holos Ukrainy, May 26, 2000). But today hardly anybody will be able to claim he or she knows if the Crimean knot will be undone and what methods of resolving the problem will be effectively used. Will the Crimean Supreme Council call off its own decision - which, according to Leonid Grach, is not so easy under the current circumstances. Because ... there is symbiosis of all moods in one day... (Den, May 26, 2000)? Possibly, the problem will be solved with the help of a radical method tested in Yalta in January 1998. Then, in order to restore order in the city, on January 30, 1998, Leonid Kuchma signed a decree on appointing Volodymyr Marchenko as acting mayor of Yalta until a mayor was elected in a legitimate procedure - or, in fact, introduced direct presidential rule in the city. There is also the third option: the Crimea will receive a new prime minister.

Anyway, answers to all these questions may become clear in a few days. It is clear today however, that the situation is a major destabilizing factor for the situation in the Crimea and may be damaging for the tourist season. While the officials settle scores, it is the population that traditionally suffers. The crisis itself is likely to be continued...